

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION
Civil Action No. 6:19-cv-01567-JD

EDEN ROGERS, et al,)
)
Plaintiffs,)
)
v.)
)
UNITED STATES DEPARTMENT OF)
HEALTH AND HUMAN SERVICES,)
et al.,)
)
Defendants.)
_____)

Videotaped Deposition of SHARON BETTS

(Taken by Plaintiffs)

(Taken virtually)

Tuesday, June 22, 2021

Reported in Stenotype by
Christine A. Taylor, RPR
Registered Professional Reporter

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1 VIDEOGRAPHER:

2 Christopher Mills

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7 DEPOSITION OF SHARON BETTS, a witness called
8 on behalf of Plaintiffs, before Christine A. Taylor,
9 Registered Professional Reporter and Notary Public, in
10 and for the State of South Carolina, taken virtually,
11 on Tuesday, June 22, 2021, commencing at 9:09 a.m.
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1 done so?

2 A. Yes.

3 Q. Okay. Does Miracle Hill support foster
4 families during the application and licensing process?

5 A. Yes.

6 Q. How does Miracle Hill do that?

7 A. Miracle Hill provides all of the application
8 paperwork. Miracle Hill has ongoing conversations and
9 phone calls, e-mails, contact with that family.
10 Miracle Hill submits a fire inspection request to the
11 state fire marshal's office. Miracle Hill provides
12 e-mail links to specific trainings that the foster
13 parents must complete. And Miracle Hill conducts the
14 two home study visits that I previously referenced.

15 Q. Is that the extent of the support that
16 Miracle Hill provides to prospective foster families
17 during the application and licensing process?

18 A. We could add things such as prayer support.
19 We could add things if they needed a bed, dresser,
20 things like that. They can request that to see if we
21 have availability to help them provide that.

22 Q. Does Miracle Hill provide support to foster
23 families after they are licensed?

24 A. Yes.

25 Q. What support do they provide?

1 A. They, again, offer prayer and encouragement.
2 They also are required by state DSS to conduct regular
3 ongoing visits to the foster home. Phone calls,
4 e-mails, maintaining a family file, child file, per DSS
5 request. They help to establish an individual service
6 plan for the child. They give resources to community
7 events activities, educational support, and contact
8 with DSS case workers regarding the needs of the child.

9 Q. You said they give resources to community
10 events activities, what does that mean?

11 A. From time to time there may be a donor who
12 give us tickets to an event such as the Children's
13 Museum in the upstate. We often are invited by various
14 churches for other kinds of places like that would
15 invite us to a -- an event that they were holding for
16 foster families or just in general to support children.

17 Q. You said we're often invited by various
18 churches or places like that. What other than
19 churches are you referring to?

20 A. There might be some community type
21 organizations, the Lion's Club, et cetera.

22 Q. And in your previous answer, you also
23 mentioned support, that you provide educational
24 support. What does that mean?

25 A. We have a person on our staff who does

1 research connections with the local -- specifically
2 Greenville County School District, in helping to find
3 resources for children that may have educational needs.
4 It might be tutoring. It might be helping them as a
5 foster family deals with Individual Educational Plan
6 meeting.

7 Q. And is that sort of service required by DSS?

8 A. No.

9 Q. Do all child placing agencies provide that
10 service?

11 A. I do not know.

12 Q. Are you aware of other child placing agencies
13 that provide that service?

14 A. No.

15 Q. And the community events that we spoke about
16 a few moments ago, tickets to museums or access to
17 other community spaces, is that sort of service
18 required by DSS?

19 A. No.

20 Q. Do all other CPAs provide that benefit?

21 A. I do not know. I do know some do.

22 Q. Which -- which do?

23 A. Personally, I'm aware of Thornwell and Connie
24 Maxwell.

25 Q. And what are you aware of when you say --

1 A. Just foster children.

2 Q. Do -- roughly, what portion of Miracle Hill's
3 families -- foster families, by which I mean families
4 that are working with Miracle Hill to obtain a
5 license, are serving solely as respite care providers?

6 A. I would approximate right now 30 families.

7 Q. Does Miracle Hill have a position known as a
8 family support specialist?

9 A. Yes.

10 Q. And what is a family support specialist?

11 A. Family support specialist is the communicator
12 with the foster families on behalf of the Miracle Hill
13 staff. They communicate by e-mail typically regarding
14 trainings that are available in the community as well
15 as Miracle Hill. She also is in charge of the schedule
16 and maintaining the monthly webinar that we offer our
17 families, and so she's usually live on those webinars.
18 She also is in charge of a closet, if you want to call
19 it that, area where we have donations that people
20 donate toys clothes, et cetera. And she plans events
21 so that people can come there and pick up those items
22 and also encourages the care coordinators and this
23 other staff to take them to the foster homes when they
24 visit.

25 She also sets up any kind of get-togethers,

1 whether that's an annual celebration altogether or
2 whether we do it based upon county by county area. And
3 she also sends out birthday cards, prepares those for
4 the foster children. She prepares letters that we send
5 to foster parents to let them know we're praying for
6 them. All of those things.

7 Q. Are any of the services that you just listed
8 required by DSS?

9 A. No.

10 Q. Do all other CPAs provide these services?

11 A. We do not know.

12 Q. Is there Miracle Hill aware of any other CPAs
13 provide these services?

14 A. Yes. Thornwell, Connie Maxwell, both of those
15 would provide, again, donations as they are given to
16 them by their donors.

17 Q. And do these CPAs also provide birthday
18 cards.

19 A. I do not know. I do know Oasis of Hope does
20 provide birthday cards, but they provide them to foster
21 children and biological children as well.

22 Q. I think I missed -- which CPA did you say
23 that -- did that?

24 A. Oasis of Hope.

25 Q. Oasis of Hope. Does Miracle Hill have a

1 turned away because of their faith or lack thereof or
2 because they're in a same-sex relationship?

3 And I ask this as a representative of Miracle
4 Hill. I'm sorry, I'm going to stop sharing my screen.

5 A. I do not have a specific number.

6 Q. And does Miracle Hill keep this information
7 anywhere?

8 A. Yes. There would probably be hard copies of
9 those inquiries, but I do not know that it would be
10 kept in any kind of a format or report of any kind.

11 Q. So topic 9, for which you were designated,
12 was prospective foster families who are not accepted
13 by Miracle Hill because of their religion or lack
14 thereof or same-sex relationship or LGBTQ status. So
15 did you undertake any effort to ascertain how many
16 families have been turned away because of their faith
17 or lack thereof or because they're in a same-sex
18 relationship?

19 A. Yes. I did look at some of those hard copies
20 of those inquiries.

21 Q. And so how many families have been turned
22 away on these bases?

23 A. I don't have a specific number. I will use an
24 approximate number, 25 to 30.

25 Q. And this is 25 to 30 since 2015 -- excuse

1 me -- since 2017, or is this a different time frame?

2 A. Yes, during that -- during that time frame.

3 Q. So how many of those individuals or families
4 that were turned away were Catholic?

5 A. As I said, I don't have the specifics, so I
6 would say majority.

7 Q. Majority. And do majority mean more than
8 half or does it mean most?

9 A. More than half.

10 Q. And how many were non-Christian of the
11 remaining -- so setting apart the Catholics, how many
12 were non-Christian?

13 A. Again, I don't have the specific numbers.

14 Q. Do you have an approximation?

15 A. Five. Five to seven.

16 Q. And then how many prospective foster parents
17 were turned away because they were LGBTQ?

18 MR. COLEMAN: This is Miles. Object to the
19 form of the question. If you know, you can answer.

20 THE WITNESS: So anybody who is -- did not
21 follow Jesus, did not agree to the doctrinal statement,
22 did not attend a Christian church would be directed to
23 another agency, another child placing agency.

24 BY MS. SCHINDEL:

25 Q. Right. But they wouldn't be able to work

1 with Miracle Hill?

2 A. Right.

3 Q. So how many of the people that were told they
4 could work with Miracle Hill, how many of those
5 prospective foster parents were LGBTQ?

6 MR. MATTHEWS: Object to the form of the
7 question. This is Steve Matthews. Are you saying how
8 many of them were LGBTQ or how many were rejected
9 because they were LGBTQ.

10 BY MS. SCHINDEL:

11 Q. That's a fair question. So let's start with
12 how many were rejected because they were LGBTQ?

13 A. I don't know. No more than one.

14 Q. No more than one?

15 MR. MATTHEWS: I believe you all may have
16 misheard each other. You may want to ask her to repeat
17 that answer.

18 BY MS. SCHINDEL:

19 Q. How many of the families that were turned
20 away from working with Miracle Hill as the prospective
21 foster parents, how many of those individuals or
22 families were turned away because they were LGBTQ?

23 A. I don't recall that -- not just for that, no
24 not -- not for that.

25 Q. Miracle Hill has never turned away a foster

1 family because they were LGBTQ?

2 A. I personally am not aware of that. And so it
3 may have been a discussion higher than me, but I don't
4 have knowledge of that.

5 Q. But you testified earlier that a person who
6 is LGBTQ would not be able to work with Miracle Hill
7 under the tenets of the doctrinal statement; is that
8 right?

9 MR. COLEMAN: Object to form of the question.
10 Misstates prior testimony.

11 BY MS. SCHINDEL:

12 Q. Sorry. When -- you still have to answer the
13 question.

14 A. I'm sorry. The question again.

15 Q. When -- as I understood your testimony
16 earlier, you said that if somebody -- that somebody
17 who is LGBTQ would not comply -- comport with Miracle
18 Hill's doctrinal statement would not be able to work
19 with Miracle Hill; is that right?

20 MR. COLEMAN: Same objection.

21 THE WITNESS: The three things I mentioned
22 before, if they were following Christ, if they agreed
23 to the doctrinal statement, and they attended a
24 Christian church.

25 BY MS. SCHINDEL:

1 Q. Right. Would somebody who is in a same-sex
2 relationship be able to work with Miracle Hill as a
3 prospective foster parent?

4 A. I keep going back to the three things that are
5 required. Following Christ, agreeing and practicing --
6 belief and practice of the doctrinal statement, and
7 attending a Christian church.

8 Q. I'm going to insist that you answer the
9 question, which is: Would somebody who's in a
10 same-sex relationship be able to work with Miracle
11 Hill as a prospective foster parent?

12 MR. MATTHEWS: I'm going to object to the
13 form. Are you asking would they be able to or would
14 Miracle Hill be willing to accept them? I just want to
15 make sure that the question is clear. Is it -- would
16 the couple be willing to or would Miracle Hill be
17 willing to? And if it's the latter, I'm going to
18 restate my earlier objection that that's outside the
19 scope of this witness's 30(b)(6) testimony.

20 BY MS. SCHINDEL:

21 Q. Let's try it this way. Before a few minutes
22 ago I was asking how many individuals were turned away
23 because they were LGBTQ. So let me ask this: How
24 many individuals were turned away as prospective
25 foster parents, how many of those were LGBTQ?

1 A. I only saw four.

2 Q. Four.

3 A. That inquired.

4 Q. And has Miracle Hill ever worked with someone
5 who is LGBTQ?

6 A. No.

7 Q. And is a person who is LGBTQ compliant --
8 would such a person be able to comply with the
9 doctrinal statement?

10 MR. MATTHEWS: Same objection with regard to
11 topic 1.

12 BY MS. SCHINDEL:

13 Q. You still have to answer, Ms. Betts.

14 A. No.

15 Q. Okay. Of the families that were -- that were
16 rejected by Miracle Hill prospective foster parents
17 because of their religious beliefs or sexual
18 orientation, did those families go on to approach
19 other CPAs?

20 A. So tell me your understanding -- or what
21 you're asking -- rejected those words that were in that
22 middle of that question.

23 Q. So we were just asking about and we were
24 talking about families that Miracle Hill has rejected
25 or turned away because of their faith or lack thereof

1 or because they are in a same-sex relationship?

2 A. They were directed elsewhere.

3 Q. Right. Did Miracle Hill know whether any of
4 those families or individuals went on to actually
5 approach another CPA?

6 A. No. I don't know how we would know that.

7 Q. Does Miracle Hill follow up or track what
8 happened to these parents in any way?

9 A. No, not usually.

10 Q. And when you say "not usually," what do you
11 mean by that?

12 A. Once we -- once we let them know and give them
13 a list or other child listing agencies to pursue
14 licensure with, we do not follow up with those
15 families.

16 Q. Has any other CPA contacted Miracle Hill
17 about families that Miracle Hill had turned away or
18 refused to work with?

19 A. Are you asking that from me personally or are
20 you asking that on behalf of Miracle Hill?

21 Q. On behalf of Miracle Hill.

22 A. None that we're aware of.

23 (Exhibit 12 marked for identification.)

24 Q. Let's mark Tab 22 which is 12850. This is
25 Exhibit 12.

1 asking that?

2 BY MS. SCHINDEL:

3 Q. You can answer the question.

4 MR. COLEMAN: Sorry, my objection may not have
5 been clear. Are you asking her in her individual
6 capacity or in her 30(b)(6) designee capacity?

7 BY MS. SCHINDEL:

8 Q. I'm asking you if you think Miracle Hill --
9 if you understand whether Miracle Hill would have been
10 willing to work with those women if they had otherwise
11 sent a church denomination and a testimony that
12 satisfied Miracle Hill's requirements?

13 A. I would say no.

14 (Exhibit 13 marked for identification.)

15 Q. All right. Let's mark Tab 66 and this is
16 6977. Do you have the document?

17 A. Yes.

18 Q. This is an undated note that is signed by you
19 which appears to be a summary of a conversation that
20 you had with Brandy Welch on April 11, 2019. It's
21 Bates stamped MIRACLE_HILL_SUBP_006977 and it is
22 Exhibit 13. Have you seen this document before?

23 A. Yes.

24 Q. Did I describe it accurately?

25 A. Yes.

1 non-therapeutic setting would also be equally
2 interested in fostering children with therapeutic
3 needs?

4 A. Some of them would and some of them would not.

5 Q. Is it fair to say that there's a
6 non-insignificant portion of parents who would be
7 willing to work with children who do not have
8 non-therapeutic needs who would be unwilling to work
9 with children who have therapeutic needs?

10 MR. COLEMAN: This is Miles. Object to form
11 of the question.

12 BY MS. SCHINDEL:

13 Q. You can still answer.

14 A. I'm sorry. Can you say that one more time
15 then?

16 Q. Is it fair to say that there's a
17 non-insignificant or a substantial portion of parents
18 with whom Miracle Hill has interacted with who would
19 be willing to work with children who have
20 non-therapeutics needs who do not -- but unwilling to
21 work with children who have therapeutic needs?

22 A. Yes.

23 Q. In your understanding, if Miracle Hill were
24 to stop serving as a CPA, what percentage of Miracle
25 Hill families would stop serving as foster care

1 parents rather than work with another CPA?

2 A. I have no idea. I mean, we have not even
3 discussed that.

4 Q. So if I were to tell you that Mr. Lehman said
5 that you were the best person to ask that question,
6 what would you say to that?

7 A. I could make an approximation.

8 Q. And what would your -- well, having just said
9 that you have no idea, what would be the basis for
10 that approximation?

11 A. Based on the number of families that I know we
12 currently have, based on the families that are
13 currently only licensed to do respite care as we had
14 previously mentioned, as well as the number of families
15 who currently do not have placements that may not be
16 taking placements for various reasons. Yeah, I think
17 that's where that approximation would come from.

18 Q. And when you say based on placements that are
19 currently licensed to do respite care -- excuse me,
20 only placements to do respite care, why does that --
21 how does that number influence your estimate, which I
22 haven't asked yet, I understand. But I'm just
23 wondering why that number plays a role in how you
24 would answer the question?

25 A. Often people who are licensed, and let me

1 Q. Generally with the understanding there may be
2 outliers, are respite families generally serving fewer
3 than five times a year?

4 A. Yes.

5 Q. And the respite care is for a day or two; is
6 that right?

7 A. It can be up to a week to two weeks, but
8 typically it's a weekend or three, four nights.
9 Summertime, it may expand to a week or two.

10 Q. My apologies if I asked this earlier, but
11 what percentage -- oh, I think you did tell me, is it
12 30 -- what percentage of Miracle Hill's families are
13 serving exclusively as respite care providers?

14 A. Currently, we have between 30 and 35 families
15 that are providing respite care.

16 Q. Okay. So setting aside those families, the
17 ones that you think are -- know or think are
18 exclusively providing respite care, what percentage of
19 Miracle Hill families would stop serving as foster
20 care parents rather than work with another CPA if
21 Miracle Hill were to stop serving as a CPA?

22 A. You're asking for an approximation?

23 Q. Yes.

24 A. I would say 50 to 60 percent.

25 Q. 50 to 60 percent. Of Miracle Hill's total

1 families?

2 A. Yes.

3 Q. Well -- not --

4 A. Not counting those that are doing respite
5 care.

6 Q. And the basis for this estimate is what
7 exactly?

8 A. I believe that they have chosen Miracle Hill
9 because of their own faith and their ability to feel
10 supported by an agency who supports their faith as well
11 as perhaps their relationship to be with a staff
12 member, it could be also because they're in a situation
13 where a child has been with them for, perhaps, a long
14 period of time. We have several people that because of
15 COVID could not have court hearings for cases such as
16 termination of parental rights. And so they're now
17 waiting for those to occur and/or legally free letters
18 to come so that they could finalize an adoption.

19 Q. And so based on that information, how are you
20 reaching an estimate of 50 to 60 percent?

21 A. Well, I'm looking at, again, the number of
22 respite families we have, the number of families that
23 currently do not have placements versus the number of
24 families who currently do have placements.

25 Q. What percentage of Miracle Hill families

1 currently have placements?

2 A. Again, I'm going to guess, 50 to 60 percent.

3 Q. So are you certainly assuming that the
4 families that don't have placements would stop working
5 as a foster care parent if Miracle Hill were to stop
6 serving as a CPA?

7 A. Some of them. And perhaps some who have
8 children, I don't know.

9 Q. Is it fair to say that the bulk of your
10 estimate of 50 to 60 percent is being driven by the
11 fact that a good number of Miracle Hill families
12 currently do not have placements?

13 A. Yes. That probably would be an accurate
14 statement.

15 (Exhibit 24 marked for identification.)

16 Q. Let's take a look at Tab 47. This is 4133.

17 A. I have the document.

18 Q. Unfortunately, we don't yet. I guess I'll do
19 a screen share. This is a infographic Bates labeled
20 MIRACLE_HILL_SUBP_004133 to 34; is that right? Excuse
21 me, it says on the top, "The Truth about Today's
22 Foster Care Crisis and the Role of Faith-Based
23 Agencies." Have you seen this before?

24 A. I have seen it in the course of documents that
25 were sent to me by my attorney.

1 not accepting prospective foster families because of
2 their religion, same-sex relationship, or LGBTQ
3 status; is that right?

4 A. Yes.

5 Q. And you were tasked with being the person
6 most knowledgeable about Miracle Hill's understanding
7 of these communications.

8 A. Okay.

9 Q. So as a designee for Miracle Hill, does
10 Miracle Hill have any reason to believe that Epworth
11 will not recruit -- will only recruit heterosexual
12 couples?

13 A. I'm sorry, the last part of that question
14 threw me off.

15 Q. Does Miracle Hill have reason to believe that
16 Epworth will recruit only heterosexual couples?

17 A. According to this e-mail, they will only
18 recruit heterosexual couples.

19 Q. Are you aware of any other communications --
20 and as a designee of Miracle Hill, is Miracle Hill
21 aware of any other communications with other South
22 Carolina CPAs regarding their policies or practices of
23 not accepting prospective foster families because of
24 their religion, same-sex relationship or LGBTQ status?

25 A. Yes. Mr. Lehman had e-mails with Southeastern

1 Children's Home.

2 Q. And does Miracle Hill understand that
3 Southeastern Children's Home will not accept
4 prospective foster families because of their religion,
5 same-sex relationship, or LGBTQ status?

6 A. Yes.

7 Q. Are there any other communications of which
8 you're aware?

9 A. Brenda Parks -- Brenda Parks told me of
10 conversations that she had with some, but none of which
11 would give one -- one way or another they would not
12 speak for their agency.

13 Q. And which agencies were that -- was that --
14 which agencies are you speaking of when you say that
15 she had conversations with some?

16 A. Connie Maxwell was one that she mentioned to
17 me.

18 Q. Any others?

19 A. Not -- Thornwell, but they would not -- they
20 would not state one way or another for their agency.

21 Q. Okay. Earlier in this deposition you
22 mentioned that in the initial home study a Miracle
23 Hill licensing specialist would ask prospective
24 parents about the church that the family attends; is
25 that right?